What Happens When I Report Sexual Misconduct?

The Path of a Student Report at UVM

2022
• UVM Policy prohibits Sexual Assault, Relationship Violence, Gender-based Stalking, Sexual Exploitation, and Sexual Harassment. UVM also has an affirmative consent policy, as detailed here.

• AAEO and the Title IX staff will always offer supportive measures, regardless of what process of resolution - or decision for anonymity/no action request - you choose is best for you. (More info on last slide).
Some Frequently Asked Questions

What if I am worried about retaliation if I make a report?

UVM has a strict anti-retaliation policy. AAEO and the Title IX staff are available to help with safety planning and harm reduction if you have retaliation concerns.

If I make a report and there is not enough evidence for an investigation or findings, will I be accused of making a false report?

You will absolutely not be “in trouble” or accused of making a false report because your report does not yield a finding of policy violation. Even if there is a non-finding, this does not mean that AAEO or the Title IX staff does not believe in the sincerity of your report.

If there is no finding, what does this mean for me?

AAEO and the Title IX staff want to provide you with support resources regardless of the outcome of your report. Additional resources are always available to you to ensure your safety even if there is no finding.

If I reach out to the Title IX Staff, will there automatically be an investigation?

No; you can reach out to AAEO to discuss your case, and you are given the choice of whether to pursue formal resolution or not. The path to making a formal report are outlined in the following slides.
Title IX Report Process Steps

01 Initial Intake

02 Title IX Review

03 AAEO Investigation or Alternative Resolution

04 Hearing and Decision-making for reports that fall under the Title IX regulations

05 Appeals
Initial Intake
First, the AAEO Outreach Coordinator will reach out to explain your options.

Support resources are always available, no matter what path you choose.*

*see the end of this slideshow for a list of some possible support resources the Title IX Staff can help to facilitate.
If you choose to pursue an investigation, an investigator will conduct an interview with you.

During this interview and any AAEO meeting, you may bring a support person of your choice. AAEO can help you connect with someone for this purpose.
As part of the initial intake process, the Title IX staff will also:

01. Evaluate safety, including your own and the UVM community.

02. Confirm required reports: In some cases, UVM Policy requires reporting to UVM Police and/or state protection services.
The Title IX Staff will work with you to understand your options, and will help determine the appropriate resolution process which works best for you.
The resolution options include:

01 University Resolution: You decide to pursue a formal resolution process, at which point AAEO will help you to determine the appropriate resolution option.

02 Anonymity/No Action Request: You decide not to pursue a formal resolution process through the Title IX process. At this point, AAEO will review this request with considerations of safety, and continue to support you in next steps and support resources you might want.
Affirmative Action and Equal Opportunity (AAEO) Resolution Options
I’ve decided to pursue a formal resolution (investigation or alternative resolution). What next?
Written notice of investigation or alternative resolution will be sent to both parties. (The person making the report is referred to as the complainant, and the person reported to have caused violated the policy is referred to as the respondent.)

Each party may select an advisor of their choice to support them through this process.

Here, you have 2 options:

A Alternative Resolution*  
(B if appropriate for this case and initiated by the Complainant on a voluntary basis)  
B Formal Investigation
A. Alternative Resolution

- Alternative Resolution allows both parties to reach a non-disciplinary, restorative resolution. This is in lieu of a formal investigation, and its goals are to remedy misconduct and prevent its reoccurrence.
- If both parties agree to the proposed resolution, they will sign a binding Written Agreement to the terms.
- Options for Alternative Resolution include:
  - Educational or personal development programming for the respondent
  - Acknowledgement of harm from the respondent via restorative processes
  - This is not an exhaustive list, and other methods are possible.
- If Alternative Resolution is unsuccessful, an investigative resolution may then be pursued.
B. Formal Investigation

- The goal of a **Formal Investigation** is a university-conducted investigation into whether a violation of UVM policy or Title IX Policy occurred.

- The **Investigator** compiles a **Record of Investigation** summarizing information from interviews with both parties. Both parties have the opportunity to review and comment on the Record, and they can propose questions for parties and witnesses. The Investigator then provides this record to the AAEO Director.

- The AAEO Director will determine if events described in the report warrant a Title IX hearing, or can be resolved through AAEO Investigative Resolution. A Title IX hearing must occur if the reported conduct occurred after August 14, 2020 and in the context of an educational program or activity (e.g., on-campus misconduct by a UVM affiliate).
When a Title IX Hearing is Required

The final Record of Investigation will be forwarded to the **Center for Student Conduct (CSC)**, who will facilitate a live (usually virtual) hearing where both parties can ask questions for witnesses and the other party. A hearing advisor assists the parties to ask the questions.

The **Adjudicator** hosts this hearing and will make a final decision on whether the policy was violated, and if so, what the sanction will be.
If a Matter Does Not Fall Under Title IX Jurisdiction (e.g., off-campus)

The Investigator will prepare a Final Investigation Report concluding and summarizing if there is sufficient evidence to report a finding of a policy violation. Sanctioning will be facilitated by the Center for Student Conduct when there is a policy violation.
Decision-Making and Sanctioning
Decision-Making Paths

**Title IX Hearing**

If the Adjudicator concludes the policy was violated, the Adjudicator and CSC will impose sanctions, included in the final *Written Report*.

**AAEO Investigative Resolution**

If an AAEO Investigator determines the policy was violated, the Final Investigation Report will be forwarded to the CSC to coordinate a *Sanctioning Meeting*. If the Investigator does not make a finding of policy violation, the Final Investigation Report will be forwarded to the *Dean of Students*. 
What does it mean to have a “finding of policy violation”?

If there is a finding, the Respondent will receive sanctions (determined by a CSC panel or the Title IX adjudicator). Sanctions range depending on details, but suspension and dismissal are the most common outcomes. Support measures are available on an ongoing basis, regardless of outcome.

“No finding” This does not mean that the complainant didn’t experience harm or that AAEO concludes they are lying. It means the investigator was unable to conclude a policy violation occurred, based on the information/evidence available. Support measures are available on an ongoing basis, regardless of outcome.
Appeals
Either party may appeal the decision and/or sanctions - whether there is a finding of responsibility or not. Appeal rights and timelines are provided with the final report.

Decisions will be appealed to and reviewed by the Appellate Officer in the Deans of Students Office, and this decision will be final. The Appellate Officer will issue a written decision to both parties.
*What additional support measures are available?*

A range of support resources are available, regardless of what process of resolution - or decision for anonymity/no action request - you choose is best for you.
Support Measures Include...

**No Contact Orders**
You may request a mutual no-contact order to have no on-campus contact with the other party.

**Academic Flexibility**
Including deadline extensions, remote class modality options, and more

**Parking Accommodations**
AAEO can help to change parking locations to minimize contact and harm

**Financial Aid**
AAEO can work with Student Financial Services to accommodate, including flexibility for add/drop deadlines

**Counseling and Advocacy Services**
AAEO can help with quick access to CAPS, HOPE Works or other support people.

**Safety**
Including residential hall changes, review security for on-campus residency, and regular security check-ins
Please reach out with any questions!

- General email: 
  AAEO@uvm.edu or online at uvm.edu/aaeo

- Nick Stanton, Director and Title IX Coordinator 
  nicholas.stanton@uvm.edu

- Taryn Moran, Intake and Outreach Coordinator 
  taryn.moran@uvm.edu

Confidential Advocacy:
HOPE Works: hopeworksvt.org or 802-863-1236 (24/7)

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